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To: Assignment Recordation Services **From:** Christopher J. Kay
Fax: 1-703-872-9306 **Pages:** 14
Phone: **Date:** July 20, 2004
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Urgent **For Review** **Please Comment** **Please Reply** **Please Recycle**

• **Comments:**

In re application of:

Christoph KIRSCH, et al. Examiner: KATCHEVES, K. T.

Appn. No.: 09/831,272 Group Art Unit: 1636

Filed: August 13, 2001 Conf. No.: 3234

For: CHIMERIC PROMOTERS CAPABLE OF MEDIATING GENE EXPRESSION IN PLANTS UPON PATHOGEN INFECTION AND USES THEREOF

Attorney Docket No.: 4038.001

Customer Number: 000041288

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JUL 20 2004

OFFICIALPATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Christoph KIRSCH, et al.

Examiner: KATCHEVES, K. T.

Appln. No.: 09/831,272

Group Art Unit: 1636

Filed: August 13, 2001

Conf. No.: 3234

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PLANTS UPON PATHOGEN INFECTION AND USES THEREOF

Attorney Docket No.: 4038.001

Customer Number: 000041288

SUBMISSION OF CORRECTIVE ASSIGNMENT DOCUMENT
PURSUANT TO MPEP 323Mail Stop: ASSIGNMENT RECORDATION SERVICES
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Pursuant to MPEP 323, Applicant respectfully submits the following documents to correct a previously recorded assignment document in the above-captioned application for patent. The previously recorded assignment was recorded on July 2, 2001 at reel 011945 and frame 0218. In the previously recorded assignment, Jaakka HYVARINEN and Folke STENMEN were incorrectly listed as conveying parties, and Fortum Oyj was incorrectly listed as receiving party. In view of these errors, the execution dates and address of receiving party are also incorrect.

Applicant submits herewith:

- (1) A new Recordation Form Cover Sheet (Corrective Document) indicating the reel and frame number where the incorrect recorded

U.S. Patent Application No. 09/831,272
SUBMISSION OF CORRECTIVE ASSIGNMENT DOCUMENT
ATTORNEY DOCKET NO.: 4038.001

assignment document appears;

(2) A new Assignment for recordation, executed by Christoph KIRSCH, Elke LOGEMANN, Klaus HAHLBROOK, Paul RUSHTON and Imre SOMSSICH;

(3) A marked-up copy of the previously submitted Recordation Form Cover Sheet; and

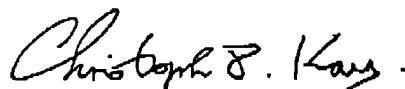
(4) A marked-up copy of the previously recorded assignment document.

Pursuant to MPEP 323, the undersigned hereby states that the information submitted on the new cover sheet (item 1, above) is true and correct and that any copy submitted is a true copy of the original document and is marked-up only as described above.

Applicant requests a Corrected Notice of Recordation incorporating the above corrections.

The Commissioner is hereby authorized to charge the \$40.00 Recordation Fee, or any additional fees, which may be required at any time during the prosecution of this application, except for the issue fee, without specific authorization, or credit any overpayment, to Deposit Account No. 16-0877.

Respectfully submitted,



Christopher J. Kay
Registration No. 44,820

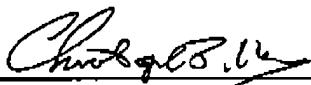
PENDORF & CUTLIFF
5111 Memorial Highway
Tampa, Florida 33634-7356
(813) 886-6085
Date: July 20, 2004

U.S. Patent Application No. 09/831,272
SUBMISSION OF CORRECTIVE ASSIGNMENT DOCUMENT
ATTORNEY DOCKET NO.: 4038.001

CERTIFICATE OF FACSIMILE TRANSMISSION AND AUTHORIZATION TO CHARGE

I hereby certify that the foregoing SUBMISSION OF CORRECTIVE ASSIGNMENT DOCUMENT, Recordation Cover Sheet (Corrective Document), new Assignment, Recordation Cover Sheet (old), and previous Assignment, for U.S. Application No. 09/831,272 filed August 13, 2001, was facsimile transmitted to (703) 872-9306, Mail Stop: ASSIGNMENT RECORDATION SERVICES, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450 on July 20, 2004.

The Commissioner is hereby authorized to charge any additional fees, which may be required at any time during the prosecution of this application, except for the issue fee, without specific authorization, or credit any overpayment, to Deposit Account No. 16-0877.



Christopher J. Kay

Docket No. 4038.001

FORM PTO-1095
OMB No 0851-0027RECORDATION FORM COVER SHEET
PATENTS ONLYU.S. DEPARTMENT OF COMMERCE
U.S. Patent OfficeCORRECTIVE DOCUMENT FOR RECORDATION AT REEL/FRAME 011945/0218

To the Director of the U.S. Patent and Trademark Office: Please record the attached original documents or copy thereof.

1. Name of conveying party(ies):

Christoph KIRSCH, Elke LOGEMANN, Klaus HAHLBROCK, Paul RUSHTON, Imre SOMSSICH

Additional name(s) of conveying party(ies) attached? Yes No

3. Nature of conveyance:

<input checked="" type="checkbox"/> Assignment	<input type="checkbox"/> Merger
<input type="checkbox"/> Security Agreement	<input type="checkbox"/> Change of Name
<input type="checkbox"/> Other _____	

Execution Date: 5/26/04; 5/24/04; 5/8/04; 5/24/04, and 5/29/04, respectively

2. Name and address of receiving party(ies):

Name: Max-Planck-Gesellschaft zur Förderung der Wissenschaften e. V.

Internal Address: _____

Street Address: _____

City: Berlin State: _____Country: GERMANY Zip: _____Additional name(s) & address(es) attached? Yes No

4. Application number(s) or patent number(s)

If this document is being filed together with a new application, the execution date of the application is: _____

A. Patent Application No(s).

09/831,272

B. Patent No(s).

Additional numbers attached? Yes No

5. Name and address of party to whom correspondence concerning document should be mailed:

Name: Christopher J. KayRegistration No. 44,820PENDORF & CUTLIFFAddress: 5111 Memorial HighwayCity: Tampa State: FL Zip: 33634-73566. Total number of applications and patents involved: 17. Total fee (37 CFR 3.41): \$ 40.00
 Enclosed – Any excess or insufficiency should be credited or debited to deposit account.
 Authorized to be charged to deposit account 16-0877

8. Deposit account number:

16-0877

(Attach duplicate copy of this page if paying by deposit account)

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9. Statement and signature

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true and correct copy of the original document.

Christopher J. Kay
Name of Person SigningChristopher J. Kay
SignatureJuly 20, 2004
DateTotal number of pages including cover sheet, attachments, and document: 13Mail documents to be recorded with required cover sheet information to:
Mail Stop Assignment Recordation Services, Director, U.S. Patent and Trademark Office,
P.O. Box 1450, Alexandria, VA 22313-1450

Docket No. 4038.001

FORM PTO-1585
OMB No. 0651-0027RECORDATION FORM COVER SHEET
PATENTS ONLYU.S. DEPARTMENT OF COMMERCE
U.S. Patent OfficeCORRECTIVE DOCUMENT FOR RECORDATION AT REEL/FRAME 011945/0218

To the Director of the U.S. Patent and Trademark Office: Please record the attached original documents or copy thereof.

1. Name of conveying party(ies):

Christoph KIRSCH, Elke LOGEMANN, Klaus
HAHLBROCK, Paul RUSHTON, Imre SOMSSICHAdditional name(s) of conveying party(ies) attached? Yes No

3. Nature of conveyance:

Assignment Merger
 Security Agreement Change of Name
 Other _____

Execution Date: 5/26/04; 5/24/04; 5/8/04; 5/24/04, and
5/29/04, respectively

4. Application number(s) or patent number(s)

If this document is being filed together with a new application, the execution date of the application is: _____

A. Patent Application No(s).
09/831,272

B. Patent No(s).

Additional numbers attached? Yes No

5. Name and address of party to whom correspondence concerning document should be mailed:

Name: Christopher J. KayRegistration No. 44,820PENDORF & CUTLIFFAddress: 5111 Memorial HighwayCity: Tampa State: FL Zip: 33634-73566. Total number of applications and patents involved: 17. Total fee (37 CFR 3.41): \$ 40.00
 Enclosed - Any excess or insufficiency should be credited or debited to deposit account.
 Authorized to be charged to deposit account 16-0877

8. Deposit account number:

16-0877

(Attach duplicate copy of this page if paying by deposit account)

DO NOT USE THIS SPACE

9. Statement and signature

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true and correct copy of the original document.

Christopher J. Kay

Name of Person Signing

Christopher J. Kay

Signature

July 20, 2004

Date

Total number of pages including cover sheet, attachments, and document: 13

Mail documents to be recorded with required cover sheet information to:
 Mail Stop Assignment Recordation Services, Director, U.S. Patent and Trademark Office,
 P.O. Box 1450, Alexandria, VA 22313-1450

Assignment

In consideration of the payment by ASSIGNEE to ASSIGNORS of valuable consideration, receipt whereof is hereby acknowledged, and for other good and valuable consideration,

ASSIGNORS Christoph KIRSCH
 Kantstrasse 5
 50858 Köln
 Germany

Elke LOGEMANN
An der Fuchskaul 2
50259 Pulheim-Dansweiler
Germany

Klaus HAHLBROCK
Löffeltalweg 5
79856 Hinterzarten
Germany

Paul RUSHTON
24 Poplar Road
Botley
Oxford OX2 9LB
Great Britain

Imre SOMSSICH
Kolibriweg 2
50829 Köln
Germany

hereby sell, assign and transfer to

ASSIGNEE Max-Planck-Gesellschaft zur Förderung der
 Wissenschaften e. V.
 Berlin
 Germany

and the successors, assigns and legal representatives of the ASSIGNEE, the entire right, title and interest for the United States and its territorial possessions, and countries foreign thereto, in and to any and all improvements which are disclosed in the invention entitled "CHIMERIC PROMOTERS

U.S. Application No. 09/831,272

Assignment

Attorney Docket: 4038.001

CAPABLE OF MEDIATING GENE EXPRESSION IN PLANTS UPON PATHOGEN INFECTION AND USES THEREOF", and which is found in U.S. Patent Application Serial Number 09/831,272 filed August 13, 2001, or any continuation, divisional, renewal, or substitute thereof, and as to letters patent any reissue or re-examination thereof, including the right to claim priority under 35 U.S.C. §119, and we request the Commissioner of Patents to issue any Letters Patent granted upon the invention set forth in the application to the ASSIGNEE, its successors and assigns; and we will execute without further consideration all papers deemed necessary by the ASSIGNEE in connection with the United States application when called upon to do so by the Assignee;

ASSIGNORS hereby covenant that no assignment, sale, agreement or encumbrance has been made or will be made or entered into which would conflict with this Assignment;

ASSIGNORS further covenant that ASSIGNEE will, upon its request, be provided promptly with all pertinent facts and documents relating to said invention and said Letters Patent and legal equivalents as may be known and accessible to ASSIGNORS and will testify as to the same in any interference, litigation or proceeding related thereto and will promptly execute and deliver to ASSIGNEE or its legal representatives any and all papers, instruments or affidavits required to apply for, obtain, maintain, issue or enforce said application, said invention and said Letters Patent and said equivalents thereof which may be necessary or desirable to carry out the purposes thereof.

U.S. Application No. 09/831,272

Assignment

Attorney Docket: 4038.001

Date: 26.5.2004
Christoph Kirsch
Christoph KIRSCH

Date: _____

Elke LOGEMANN

Date: _____

Klaus HAHLBROCK

Date: _____

Paul RUSHTON

Date: _____

Imre SOMSSICH

(Legalization not required for recording but is *prima facie* evidence of execution under 35 U.S.C. §261.)

U.S. Application No. 09/831,272

Assignment

Attorney Docket: 4038.001

Date: _____

Date: May 24, 2004Christoph KIRSCHElke Logemann

Elke LOGEMANN

Date: June 8, 2004

Date: _____

Klaus HAHLBROCKPaul RUSHTONDate: May 24, 2004Imre SOMSSICH(Legalization not required for recording but is *prima facie* evidence of execution under 35 U.S.C. §261.)

U.S. Application No. 09/831,272

Assignment

Attorney Docket: 4038.001

Date: _____

Date: _____

Christoph KIRSCHElke LOGEMANN

Date: _____

Date: 29th May 2004Klaus HAHLBROCKPaul Rushton

Paul RUSHTON

Date: _____

Imre SOMSSICH(Legalization not required for recording but is *prima facie* evidence of execution under 35 U.S.C. §261.)

Ber 2. 15

BIRCH, STEWART, KOLASCH & BIRCH, LLP

UNITED STATES PATENT RIGHTS, OR

UNITED STATES PLUS ALL FOREIGN PATENT RIGHTS

ATTORNEY DOCKET NO.

ASSIGNMENT

Application No. 09/931,272Filed April 27, 2001Insert Name(s) of Inventor(s) ➡ WHEREAS, Jarkko Hyvärinen and __________ Folke Stenman _____

(hereinafter designated as the undersigned) has (have) invented certain new and useful improvements in _____

Insert Title of Invention ➡ Method and device for modifying the irradiance distribution
of a radiation source

for which an application for Letters Patent of the United States of America has been executed by the undersigned (except in the case of a provisional application).

Insert Date of Signing of Application ➡ on May 14, 2001; and June 11, 2001; andInsert Name of Assignee ➡ WHEREAS, Forum Sys _____

Insert Address of Assignee ➡ of Käytäntie 1, FIN-12150 Espoo, Finland

its heirs, successors, legal representatives and assigns (hereinafter designated as the Assignee) is desirous of acquiring the entire right, title and interest in and to said invention and in and to any Letters Patent(s) that may be granted therefor in the United States of America and

➡ in any and all foreign countries.

NOW, THEREFORE, in consideration of the sum of Ten Dollars (\$10.00) to the undersigned in hand paid, the receipt of which is hereby acknowledged, and other good and valuable consideration, the undersigned has (have) sold, assigned and transferred, and by these presents does sell, assign and transfer unto said Assignee the full and exclusive right to the said invention in the United States of America, its territories, dependencies and possessions and the entire right, title and interest in and to any and all Letters Patents which may be granted therefor in the United States of America, its territories, dependencies and possessions, and if the box above is designated, in any and all foreign countries.

The undersigned agree(s) to execute all papers necessary in connection with this application and any continuing, divisional, conversion or reissue applications thereof and also to execute separate assignments in connection with such applications as the Assignee may deem necessary or expedient.

The undersigned agree(s) to execute all papers necessary in connection with any interference which may be declared concerning this application or continuation, division, conversion or reissue thereof or Letter Patent(s) or reissue patent issued thereon and to cooperate with the Assignee in every way possible in obtaining and producing evidence and proceeding with such interference.

The undersigned agree(s) to execute all papers and documents and to perform any act which may be necessary in connection with claims or provisions of the International Convention for the Protection of Industrial Property or similar agreements.

The undersigned agree(s) to perform all affirmative acts which may be necessary to obtain a grant of a valid United States of America patent(s) or a grant of a valid United States of America and any foreign patent(s) to the Assignee and to vest all rights therein hereby conveyed to said Assignee as fully and entirely as the same would have been held by the undersigned if this Assignment and sale had not been made.

The undersigned hereby authorize(s) and request(s) the Patent and Trademark Office Officials in the United States of America and in any foreign countries to issue any and all Letters Patents resulting from said application or any continuing, divisional conversion or reissue applications thereof to the said Assignee, as Assignee of the entire interest, and hereby covenants that he has (they have) the full right to convey the entire interest herein assigned, and that he has (they have) not executed, and will not execute, any agreement in conflict herewith.

The undersigned hereby grant(s) the law firm of Birch, Stewart, Kolasch & Birch, LLP the power to insert on this Assignment any further identification which may be necessary or desirable in order to comply with the rules of the U.S. Patent and Trademark Office for recordation of this document.

The undersigned hereby covenant(s) that no assignment, sale, agreement or encumbrance has been or will be made or entered into which would conflict with this assignment.

In witness whereof, executed by the undersigned on the date(s) opposite the undersigned name(s).

May 14, 2001

Date May 14, 2001,

Name of Inventor

Jeanne Hilt
(signature)

Jeanne Hilt
Jeanne Hilt

Date June 11, 2001,

Name of Inventor

Felix Stenman
(signature)

Felix Stenman
Felix Stenman

Date _____,

Name of Inventor

(signature)

07-09-2001

Atty. Docket No.:
Page 1 of 1

101769907

7.02.01

REC

COVER SHEET

To the Honorable Commissioner of Patents and Trademarks:
Please record the attached original documents or copy thereof.

1. Name of conveying party(ies):

HYVARINEN, Jaakko, STENMAN, Pekka

Additional name(s) of conveying party(ies) attached?

 YES NO

3. Nature of conveyance:

<input checked="" type="checkbox"/> Assignment	<input type="checkbox"/> Merger
<input type="checkbox"/> Security Agreement	<input type="checkbox"/> Change of Name
<input type="checkbox"/> Other:	

Execution Date: May 14 and June 11, 2001

4. Application number(s) or patent number(s):

If this document is being filed together with a new application, the execution date of the application is:

A. Patent Application No(s).

09/831,272

B. Patent No.(s).

Additional numbers attached? YES NO

5. Name and address of party to whom correspondence concerning document should be mailed:

Name: BIRCH, STEWART, KOLASCH & BIRCH, LLP
 Street Address: P.O. BOX 747
 City: FALLS CHURCH State: VA ZIP: 22040-0747
 Country: USA

6. Total No. of applications/patents involved: one (1)

7. Total fee (37 C.F.R. § 3.41): \$40.00

 Enclosed Authorized to be charged to deposit account if no fee attached.

8. Deposit account number: 02-2448

(Attach triplicate copy of this page if paying by deposit account)

07/06/2001 DBYRNE 00000101 09831272

0 \$81 Statement and signature. 40.00 0P

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To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.

Leonard R. Svensson, #60,630
 Name of Person Signing/Reg. No.

Signature

June 28, 2001
 Date

Total number of pages including cover sheet, attachments, and document: three (3)

LRS:clh

(Rev. 01-11-01)